

FACTSHEET

TITLE: **USE PERMIT NO. 137, KENSINGTON PLAZA**, requested by Brian D. Carstens and Associates, on behalf of Michael Raasch, for 56,000 sq. ft. of commercial uses, with waiver requests of sidewalks, to allow sanitary sewer to run against street grade, and an adjustment of the rear yard setback on the eastern edge of the property, on property generally located at South 16th Street and Old Cheney Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 05/02/01
Administrative Action: 05/02/01

RECOMMENDATION: Conditional approval (8-0: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'; Hunter absent).

STAFF RECOMMENDATION: Conditional approval.

FINDINGS OF FACT:

1. The Planning staff recommendation of conditional approval is based upon the following analysis:
 - A. "Kensington Court" should be renamed so that it will not be confused with Kensington Drive, which is located on the opposite side of the city.
 - B. The proposal depicts a number of sidewalks throughout the development; a waiver of sidewalks on one side of the internal private roadway is appropriate.
 - C. The request to reduce the rear yard setback from 50' to 20' along the east side of the permit is appropriate, provided taller trees are added to the landscaping in that area.
 - D. Public Works indicates driveways as shown do not function at buildout. See Public Works memo (p.015).
 - E. The drainage study has not been revised as requested.
 - F. The landscape plan generally exceeds screening requirements, but it does not meet the shrub coverage requirements for the B-2 district.
 - G. The proposed development has an FAR of .20; the Comprehensive Plan anticipated the developing area of the City to have, on average, a floor area ratio of .25.
2. The conditions of approval are drafted to correct the above deficiencies (See p.5-6).
3. This application was placed on the Consent Agenda of the Planning Commission on May 2, 2001, and opened for public hearing. No one came forward to speak.
4. The Planning Commission agreed with the staff recommendation.
5. The Site Specific conditions of approval required to be completed prior to scheduling this application on the Council agenda have been submitted by the applicant and approved by the reviewing departments.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 4, 2001

REVIEWED BY: _____

DATE: June 4, 2001

REFERENCE NUMBER: FS\CC\FSUP137

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Use Permit #137
Kensington Plaza

DATE: February 7, 2001

PROPOSAL: A use permit is requested to allow 56,000 square feet of mixed commercial space, with a waiver of sidewalks on the south side of Kensington Court, a waiver to allow sanitary sewer to run against street grade, and an adjustment of rear yard setback from 50' to 20' on the eastern edge of the property.

GENERAL INFORMATION:

APPLICANT: Michael Raasch

CONTACT: Brian D. Carstens and Associates
2935 Pine Lake Road, Suite H
Lincoln, NE 68516
(402) 434-2424

LOCATION: South 16th Street and Old Cheney Road

LEGAL DESCRIPTION: Lots 15, 16 and 17, Block 3, Lincoln Industrial Park South, located in the southwest 1/4 of Section 12, T9N, R6E of the 6th P.M., Lancaster County, Nebraska.

SIZE: 6.45 acres, more or less

EXISTING ZONING: B-2, Planned Neighborhood Business District

EXISTING LAND USE: Convenience store/gas station/car wash

SURROUNDING LAND USE AND ZONING: Zoned I-2, Industrial Park District to the north. Zoned B-1, Local Business District, and O-3, Office Park to the south. City bike trail on vacated railroad ROW to east, Zoned R-1, Residential to the east across the bike trail, and zoned B-2, Planned Neighborhood Business District to the west.

COMPREHENSIVE PLAN SPECIFICATIONS: Designated as Commercial in the 1994 Land Use Plan.

4. Neighborhood Centers (page 63)

Goals

- *Maintain and encourage retail establishments and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with but not intrusive upon residential neighborhoods.*

- *Provide geographically convenient and accessible retail areas throughout the City and County so as to provide the widest possible variety of goods and services.*
- *Discourage strip development and spot zoning and encourage more compact and higher quality retail and commercial development.*

Neighborhood centers provide local convenience shopping facilities for surrounding residential neighborhoods. These centers range widely from groups of several storefronts to neighborhood shopping centers that include grocery stores, drug stores, and other support services. These centers range from 10,000 to 150,000 square feet of floor area and have varying service areas (generally one mile), depending on their retail mix.

From Neighborhood Centers Strategies (page 64):

- In new projects, require good pedestrian linkages to street frontages and surrounding neighborhoods. Provide direct and safe access for bicycle traffic.

HISTORY:

On **November 13, 1961**, City Council approved change of zone #370 on the property, from A-A Rural and Public Use to M Restricted Industrial.

Converted from M Restricted Industrial to I-2 Industrial Park with the adoption in the **1979 Zoning Update**.

On **August 29, 1994**, City Council approved Change of Zone #2843, from I-2 Industrial Park to B-2 Planned Neighborhood Business on Lot 17. This change allowed a pole sign, which was not allowed in the I-2 District.

On **October 13, 1994** Pre-Existing Use Permit #31 was created.

On **March 27, 1995**, City Council approved Change of Zone #2885 on Lots 15 and 16 of Block 3 from I-2 Industrial Park District to B-2 Planned Neighborhood Business District.

SPECIFIC INFORMATION:

UTILITIES: Sewer and water as shown are satisfactory.

TOPOGRAPHY: The site slopes gently uphill from Old Cheney Road.

TRAFFIC ANALYSIS: Old Cheney Road is shown as a minor arterial in both the Existing and Future Functional Street and Road Classification.

The applicant provided a traffic study and is showing a new right-turn lane from Old Cheney Road onto S. 16th Street. Public Works requests additional right-of-way.

Parks and Recreation and Public Works departments indicate that the 8' wide bike path on the north side of Old Cheney is needed as part of the trail system and will need to be replaced.

PUBLIC SERVICE: The closest fire station is #4, located at S. 27th Street and Old Cheney Road. Dennis Roth of Emergency Communications 911 Center and David L. Wampler of the United States Post Office report that the street name "Kensington" already exists near Superior and N. 27th Street. Duplicate names are unacceptable.

REGIONAL ISSUES: None apparent.

ENVIRONMENTAL CONCERNS: Increased runoff from hard surfaces.

AESTHETIC CONSIDERATIONS: The development is adjacent to the Rock Island bike trail.

ALTERNATIVE USES: Provide multiple floor buildings and reduce the amount of parking, thus preserving more open area outside required yards.

ANALYSIS:

1. "Kensington Court" should be renamed so that it will not be confused with Kensington Drive, which is located on the opposite side of the city.
2. The proposal depicts a number of sidewalks throughout the development; a waiver of sidewalks on one side of the internal private roadway is appropriate.
3. The request to reduce the rear yard setback from 50' to 20' along the east side of the permit is appropriate, provided taller trees are added to the landscaping in that area.
4. Public Works indicates driveways as shown do not function at buildout. See Public Works memo.
5. The drainage study has not been revised as requested.
6. The landscape plan generally exceeds screening requirements, but it does not meet the shrub coverage requirements for the B-2 district.
7. The proposed development has an FAR of .20; the Comprehensive Plan anticipated the developing area of the City to have, on average, a floor area ratio of .25.

STAFF RECOMMENDATION:

Conditional approval

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

1.1 Revise the site plan to show:

- 1.1.1 "Kensington Court" renamed.
- 1.1.2 To Note 6, add "Any relocation of existing facilities will be at the owner/developer's expense."
- 1.1.3 To Note 10, add a statement indicating that sidewalks will not be on both sides of renamed Kensington Court, or delete the first sentence.
- 1.1.4 Relocate the sidewalk along renamed Kensington Court to provide enough room for street trees.
- 1.1.5 Add taller screen trees along the east property line, adjacent to Lots 1, 5, 6, and 7.
- 1.1.6 Provide shrub coverage to meet Design Standards.
- 1.1.7 Correct the height of Colorado Spruce - it should be 25'.
- 1.1.8 Correct the spread and height of Sea Green Juniper. Both should be 3'.
- 1.1.9 Correct the spelling of "mini-warehouses".
- 1.1.10 Relocate the bicycle trail along Old Cheney Road.
- 1.1.11 Show a pedestrian connection from the east side of the property to the bike trail.
- 1.1.12 On Lot 4, revise the following parking stall labels: 22 to 14, 19 to 16, and 6 to 7. Revise the "provided parking" column accordingly.
- 1.1.13 Provide additional information and revisions as requested by Public Works.

- 2. This approval permits 56,000 square feet of commercial space, waives sidewalks along the south side of renamed Kensington Court, adjusts the rear yard setback from 50' to 20' along the east property line, waives sanitary sewer design standards so that sewage may flow against street grade, and rescinds pre-existing use permit #31.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan along with 5 copies.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the City.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the new construction all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 4.5 The City Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Jason Reynolds
Planner

USE PERMIT NO. 137 KENSINGTON PLAZA

CONSENT AGENDA **PUBLIC HEARING & ADMINISTRATIVE ACTION** **BEFORE PLANNING COMMISSION:**

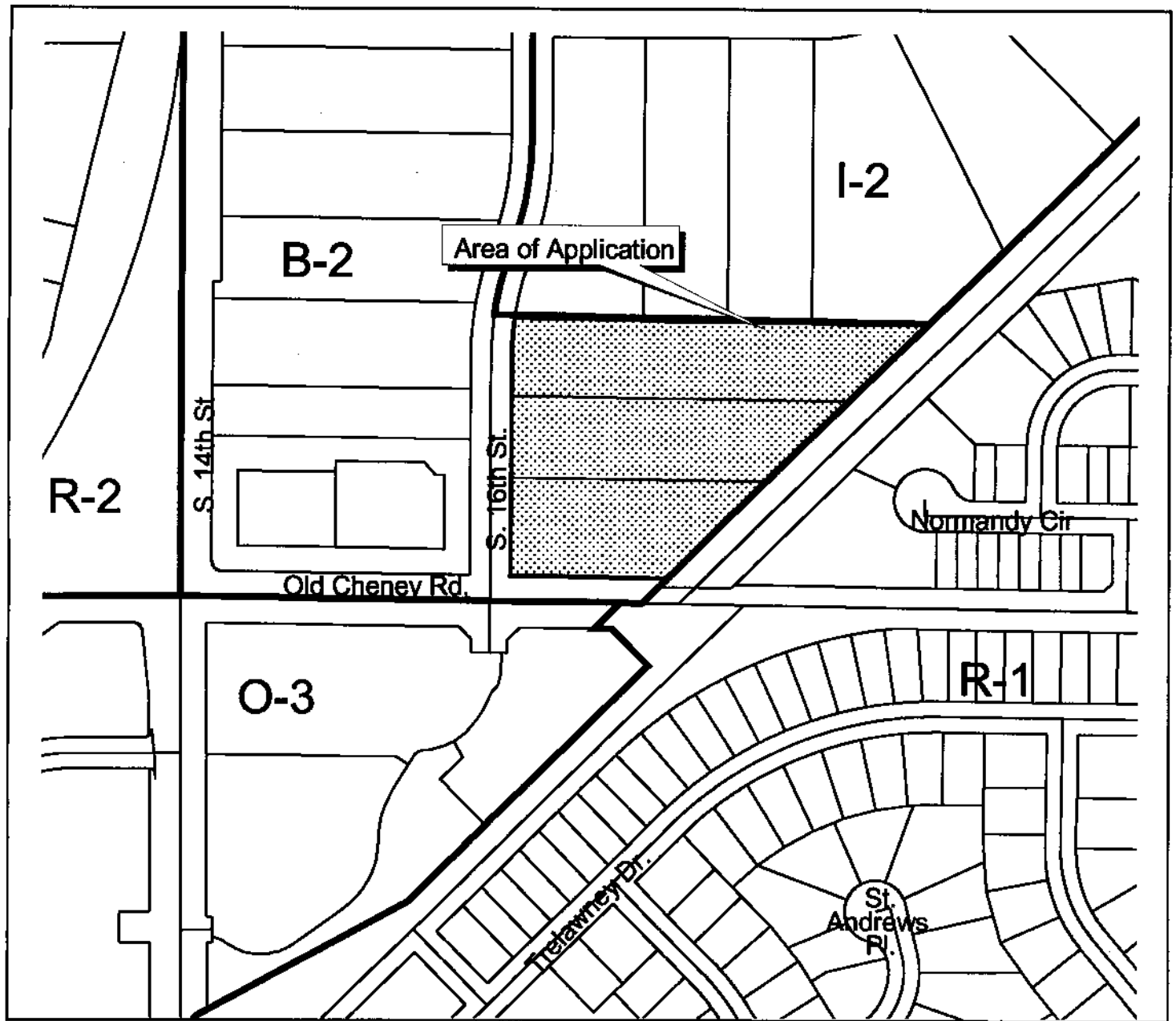
May 2, 2001

Members present: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor; Hunter absent.

The Consent agenda consisted of the following items: **CHANGE OF ZONE NO. 3322, CHANGE OF ZONE NO. 3319, SPECIAL PERMIT NO. 1386B, **USE PERMIT NO. 137**, SPECIAL PERMIT NO. 1161A, SPECIAL PERMIT NO. 1322F, SPECIAL PERMIT NO. 1887, SPECIAL PERMIT NO. 1906, SPECIAL PERMIT NO. 1912 AND WAIVER OF DESIGN STANDARDS NO. 01002.**

Steward moved to approve the Consent Agenda, seconded by Schwinn and carried 8-0: Bayer, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'; Hunter absent.

Note: This is final action on Special Permit No. 1161A, Special Permit No. 1322F and Special Permit No. 1906, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

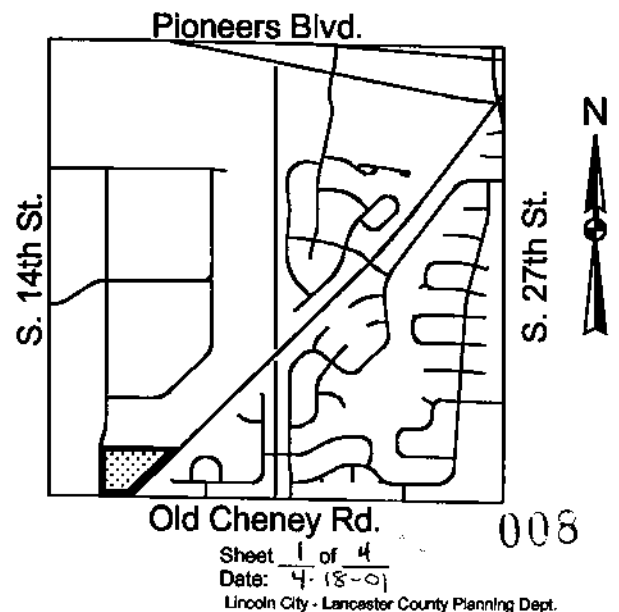
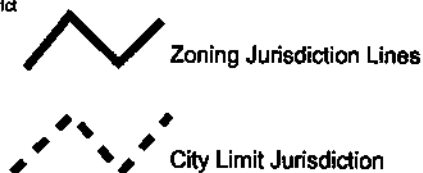


Use Permit #137 S. 16th St. & Old Cheney Rd.

Zoning:

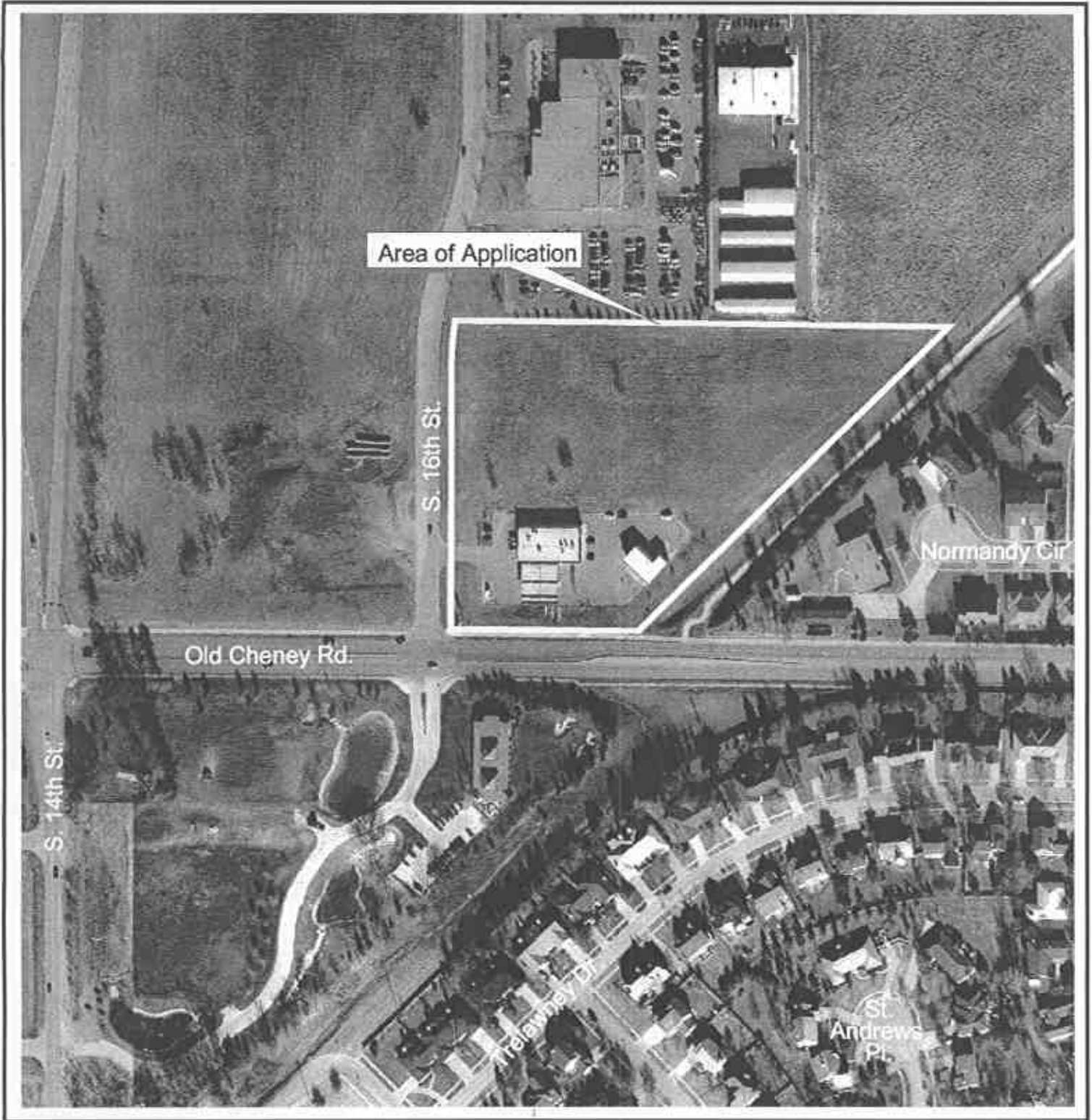
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 12 T9N R6E



Sheet 1 of 4
Date: 4-18-01

Lincoln City - Lancaster County Planning Dept.



Use Permit #137
S. 16th St. & Old Cheney Rd.



Sheet 2 of 4

Date: 4-18-01

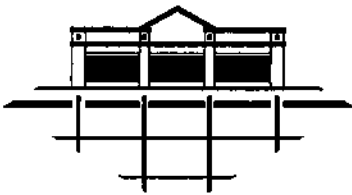
Photograph Date: 1997

009

Lincoln City - Lancaster County Planning Dept.

GENERAL NOTES:

1. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPES SHOWN ON THIS PLAN.
2. BUILDING HEIGHT SHALL NOT EXCEED 40' IN 'B-2' ZONING DISTRICT.
3. DIRECT VEHICULAR ACCESS TO OLD CHENEY ROAD IS HEREBY RELINQUISHED.
4. DIRECT VEHICULAR ACCESS TO 16TH STREET IS HEREBY RELINQUISHED EXCEPT AT KENSINGTON COURT AND THE EXISTING ACCESS DRIVE SHOWN ON THE SITE PLAN.
5. COMMON AND PUBLIC ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE ROADWAYS, PRIVATE DRIVES, DRIVE AISLES, PARKING STALLS AND SIDEWALKS SHOWN.
6. BLANKET UTILITY EASEMENTS ARE HEREBY GRANTED ON ALL LOTS EXCEPT BUILDING ENVELOPES.
7. PRIVATE DRIVES SHALL BE SURFACED WITH 6 INCHES OF PORTLAND CEMENT OR 5 INCHES OF PORTLAND CEMENT BASE AND 2 1/2 INCHES OF ASPHALTIC CONCRETE SURFACE OR 6 INCHES OF ASPHALTIC CONCRETE. ALL PRIVATE ROADWAYS SHALL HAVE A 5 INCH CROWN AND A 6 INCH RAISED CURB.
8. ALL PAVEMENT RADII TO BE 20' AND PAVEMENT WIDTH TO BE 27' UNLESS NOTED OTHERWISE.
9. ALL PARKING AREAS SHALL BE SURFACED WITH A MINIMUM OF 5 INCHES OF CLASS 'A' PORTLAND CEMENT OR 6 INCHES OF ASPHALTIC CONCRETE. A 6 INCH RAISED CURB BARRIER SHALL BE PROVIDED AT THE PERIMETER.
10. SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL INTERIOR STREETS. SIDEWALKS SHALL BE A MINIMUM OF 4 FEET IN WIDTH AND LOCATED A MINIMUM OF 4 FEET FROM THE BACK SIDE OF THE CURB. SIDEWALKS SHALL BE A MINIMUM OF 6 FEET IN WIDTH IF LOCATED ADJACENT TO THE CURB. SIDEWALKS SHALL BE A MINIMUM OF 4 INCHES THICK CONCRETE, 5 INCHES THICK AT DRIVEWAY CROSSINGS.
11. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
12. TOPOGRAPHIC GRADING CONTOURS ARE AT NAVD 1988.
13. THE OWNER/ DEVELOPER SHALL COMPLY TO THE ENVIRONMENTAL PERFORMANCE STANDARDS RELATING TO NOISE, EMISSION, DUST, ODOR, GLAZE AND HEAT, AS ADOPTED BY THE CITY OF LINCOLN.
14. ALL EXTERIOR LIGHTING SHALL COMPLY TO THE DESIGN STANDARDS AS ADOPTED BY THE CITY OF LINCOLN.
15. ALL PARKING AREAS SHALL BE SURFACED WITH A MINIMUM OF 5 INCHES OF CLASS 'A' PORTLAND CEMENT OR 4 INCHES OF ASPHALTIC CONCRETE. A 6 INCH RAISED CURB BARRIER SHALL BE PROVIDED AT THE PERIMETER.
16. SIGNAGE SHALL BE AS PERMITTED BY CHAPTER 27.69 OF THE LINCOLN MUNICIPAL CODE. AN ADMINISTRATIVE AMENDMENT WILL NOT BE REQUIRED TO LOCATE THE SIGN ON THE USE PERMIT PLANS.
17. PARKING REQUIREMENTS SHALL BE AS PER CHAPTER 27.67 OF THE LINCOLN MUNICIPAL CODE.
18. THE FOLLOWING WAIVERS ARE HEREBY REQUESTED AND APPROVED WITH THIS USE PERMIT:
 - A) SIDEWALKS ON THE SOUTH SIDE OF KENSINGTON COURT, A PRIVATE ROADWAY.
 - B) REAR YARD SETBACK ON LOTS 1, 5, 6 & 7 FROM 50 FEET TO 20 FEET.



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

April 5, 2001

Ms. Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: USE PERMIT FOR 'B-2' PLANNED NEIGHBORHOOD BUSINESS DISTRICT
KENSINGTON PLAZA - S. 16TH STREET & OLD CHENEY ROAD

Dear Kathleen,

On behalf of Buggy Bath Old Cheney L.L.C., we are re-submitting the following Use Permit Kensington Plaza for your review. We have made a few changes to the site plan. We have revised the configuration of the building on Lot 5 and have reduced the square footage on Lot 4 from 10,800 S.F. to 8,000 S.F.

We are proposing a mixed-use project as follows:

An existing gas/ convenience store	3,200 SF
Existing Retail on east end of gas/ conv.	1,900 SF
Commercial/ Retail	32,900 SF
Office	18,000 SF
<hr/>	
TOTAL	56,000 SF

J.D. Burt of Design Associates is submitting a Traffic Study for your review.

We are requesting the following waiver to the subdivision ordinance as part of this Use Permit:

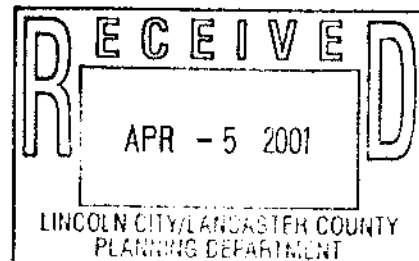
Waiver of sidewalks on the South side of Kensington Court. We feel there will be very little pedestrian movement to and through the site and the sidewalk shown on the North side of Kensington Court can handle the east/ west movement of pedestrians.

Wavier of the sanitary sewer is running against the street grade of the Private Roadway. However, there will be a minimum of five feet of cover over the sewer.

We are requesting the following waiver to the zoning ordinance:

Waiver of the required rear yard setback from 50 feet to 20'. The site is adjacent to an existing bike trail that is centered on a 100' wide vacated railroad right of way, with multi-family units farther to the east. We are proposing a heavy landscape screen on our property to actually enhance the trail area.

Please contact me if you have any further questions or comments.



013

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Carstens', with a stylized flourish at the end.

Brian D. Carstens

CC. Michael Raasch
Don Linscott
Sam Olson

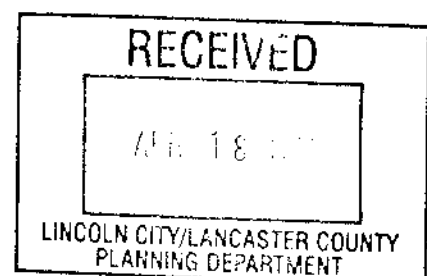
ENCLOSURES: 16 Copies of Sheet 1 of 4
6 Copies of Sheets 2 through 4 of 4
8-1/2" x 11" reductions of the plans

M e m o r a n d u m

To: Jason Reynolds, Planning Department
From: *M* Dennis Bartels, Public Works & Utilities
Subject: Use Permit #137, Kensington Plaza, and Amendment to Use Permit #64
Date: April 17, 2001
cc: Roger Figard, Nicole Fleck-Tooze, Virendra Singh

Engineering Services has reviewed Use Permit #137, Kensington Plaza, on the east site of 16th, north of Old Cheney and has the following comments:

1. The plans show construction of a west bound right turn lane in Old Cheney approaching 16th Street. The plans need to be revised to show right-of-way for this reconstruction including the relocation of the existing 8' bicycle path.
2. Sewer and water, as shown, are satisfactory.
3. The traffic study as submitted shows that the driveways, as shown, do not function at buildout. The left turn stacking movements severely conflict with each other at the traffic volumes shown. The site accesses along with those on the west side need to be revised so that allowable movements at these driveways can occur safely. Right turn lanes need to be considered along 16th Street where peak hour right turns approach 50 turns. Controlling the required traffic movements may require construction in South 16th Street. Revisions may require moving driveways and redesign of the site.
4. The drainage study has not been revised per my February 5th comments.
5. There are no professional seals on the plans or the traffic impact study.



Memorandum

To: Jason Reynolds, Planning
From: Rachel Martin, Parks and Recreation
Date: April 16, 2001
Re: Kensington Plaza

Parks and Recreation Department staff have reviewed the above-referenced proposal and have the following comments:

- 1) Is sidewalk shown on north side of Kensington Court existing or to be constructed? Landscape plan indicates only a 4 foot wide space between curb and walk, which is too narrow to plant street trees. If sidewalk is to be constructed, it is recommended it be placed next to curb and Columnar Norway Maple be planted 4 feet north of walk.
- 2) The 8' wide bike path on the north side of Old Cheney is needed as part of the trail system and will need to be replaced.
- 3) The waiver of the required rear yard setback from 50' to 20' is acceptable by Parks and Recreation given a stipulation for heavy screening, and addition of taller screen trees behind lots 1, 5, 6, and 7.

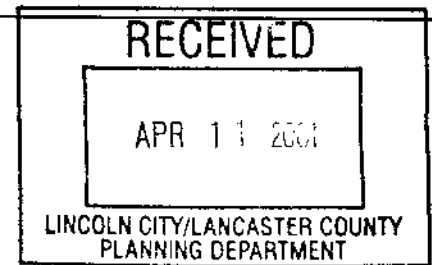
Please phone me at 441-7936 with any questions.



UNITED STATES
POSTAL SERVICE

April 10, 2001

Jason Reynolds
City-County Planning Department
555 So 10 St
Lincoln NE 68508-3992



SUBJECT: Revised Kensington Plaza/UP #137

Jason,

I have reviewed the above-mentioned request.

There is currently a Kensington Drive located five blocks north of Superior running east and west of North 27th. To also have a Kensington Court then on the extreme south side of the city will be confusing for anyone looking for either street.

Due to this I would request that Kensington Court be renamed.

Please feel free to call me with any questions.

Thankyou,

David L. Wampler
Acting Supv. Customer Service Support

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF01012**

Address

Job Description: **KENSINGTON PLAZA**

Location: **KENSINGTON PLAZA**

Special Permit: **N**

Preliminary Plat: **N**

Use Permit: **Y 137**

CUP/PUD: **N**

Requested By: **RAY HILL - JASON**

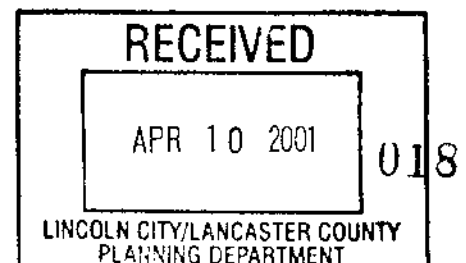
Status of Review: **Approved**

Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE** **BOB FIEDLER**

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards





"Dennis L. ROTH"
<DROTH@LANCJES2
.ci.lincoln.ne.us>

To: <jreynolds@ci.lincoln.ne.us>
cc:
Subject: Kensington Plaza

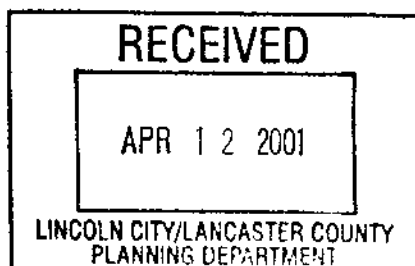
04/11/2001 12:36
AM

PROJ NAME: Kensington Plaza (revised)
PROJ NMBR: use permit #137
PROJ DATE: 04/06/01
PLANNER: Jason Reynolds

Street name "Kensington" already exists! Located about eight blocks north of Superior and running both east & west off 27th. Use of the same street name at opposit ends of the City, COULD present problems in the dispatching of emergency vehicles.

STRONGLY RECOMMEND alternate name be selected.

Dennis "denny" Roth, ESD II, CAD Admin
Emergency Communications 911 Center



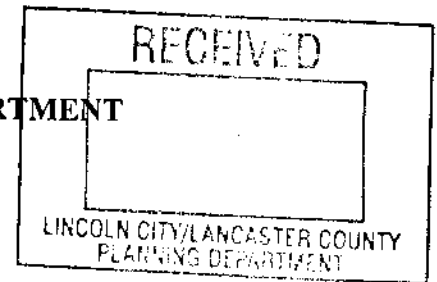
M.Woolman

From: "M.Woolman"
To: <RHILL@CI.LINCOLN.NE.US> - JASON
Sent: Friday, February 02, 2001 9:38 AM
Subject: KENSINGTON PLAZA
Ray,

The Lincoln Police Department has no objections for the Kensington Plaza use permit #137.

Michael S. Woolman
Planning Sergeant
Lincoln Police Department
441-7215

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**



TO: Ray Hill - *JASON*

DATE: 2/2/2001

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Leon F. Vinci, MPH
EH File
EH Administration

SUBJECT: Kensington Plaza
UP #137

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the use permit application and has, at this time, not identified any serious negative environmental health impacts from the proposed development. However, the following points are noted.

- The applicant should review the City of Lincoln, Noise Control Ordinance Chapter 8.24 L.M.C. Specifically, measured at the property line for residential zoning, noise pollution cannot exceed 65 dB(A) from 7:00 am to 10:00 pm and 55 dB(A) from 10:00 pm to 7:00 am.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of vegetable ground cover will also be incorporated as necessary.
- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.



INTER-DEPARTMENT COMMUNICATION

DATE April 13, 2001

TO Jason Reynolds, City Planning

FROM Sharon Theobald
(Ext. 7640)

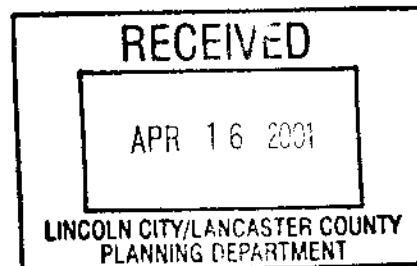
SUBJECT DEDICATED EASEMENTS
DN #56S-16E

Attached is the Site Plan for Kensington Plaza (Use Permit #137).

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over the entire development.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

Sharon Theobald



ST/ss
Attachment
c: Terry Wiebke
Easement File

OFFICE\OF\DEDEAS.Fm